

# Office of Special Education

## Complaint Investigation Log

### School Year 2000-2001

Date received	District involved in complaint	Issues of the complaint	Issue date of complaint report/ findings	Closure date
11/20/00	Aberdeen	1. Complainant alleges district is not ensuring FAPE as they have declined to provide hearing aids to student for use with new FM system.	1/8/01  No compliance findings	1/8/01
11/29/00	Alcester-Hudson	1. Complainant alleges that the district is not in compliance with the student's IEP in the areas of counseling, progress reports and modifications and accommodations.  2. Complainant alleges that the district agreed to pursue a functional behavioral assessment of the student, but has failed to complete the assessments.	1/8/01  District out of compliance on issues 1 and 2.	8/24/01
3/02/01	Sioux Falls	1. Complainants allege the district's policy on transportation of students with disabilities has resulted in the denial of a free appropriate public education to student	3/30/01  District out of compliance	Pending
5/14/01	Sioux Falls	1. Complainants allege the IEP team convened for their son was not comprised of the required team membership.  2. Complainants allege that the IEP developed for student did not contain the required transition service needs of the student.  3. Complainants allege the student's IEP contains goals in the area of English I	Complainant rescinded complaint – closed without investigation	Closed 6/7/01 – no investigation

		<p>and Speech which are not measurable. They also allege that objectives written for Goal #1 are not measurable, nor do they relate to the annual goal.</p> <ol style="list-style-type: none"> <li>Complainants allege the present levels of performance in the IEP do not identify the academic level the student is functioning at.</li> <li>Complainants allege the student's IEP does not list the anticipated frequency, location and duration of modifications and related services. They also allege weekly progress checks listed on the modifications page on a consistent basis, have not been provided and that the "progress checks" are undefined in terms of what information will be reported.</li> </ol>		
6/1/01	Sioux Falls School District	<ol style="list-style-type: none"> <li>Modifications and related services do not list the anticipated frequency and duration of these services. Assistive technology is listed as using only if it is available.</li> <li>Complainants state they have not received quarterly progress reports (with the exception of the first quarter).</li> <li>The present levels of performance do not identify the academic level the student is functioning at.</li> <li>The annual goals and objectives are not measurable.</li> <li>Complainants did not sign for the transfer of rights at the age of majority one year prior to the student turning 18.</li> <li>Counseling not provided in accordance with student's IEP.</li> </ol>	<p>Issued 7/26/01</p> <p>District out of compliance on 2 of 6 issues (#2 and #6)</p>	10/4/01
8/16/01 Early intervention (Part C and Part B)	Madison School District	<ol style="list-style-type: none"> <li>The complainant alleges the district inappropriately denied the request for the reevaluation of a infant in seeking to identify him as eligible for early intervention services, including failing to provide the parents with notice of the district's decision not to evaluate.</li> <li>The complainant alleges the district</li> </ol>	<p>Issued 9/28/01</p> <p>District out of compliance on issues #1-5.</p>	2/15/02

		<p>unnecessarily delayed the evaluation process, involving an infant, due to a lack of staff availability during the summer months.</p> <p>3. The complainant alleges the IFSP for the infant was written with a delay in the initial provision of services due to a lack of staff availability.</p> <p>4. The complainant alleges the schedule of services provided by the district is not in accordance with the IFSP as written for the infant and the infant's sibling. She alleges the schedule combines the amount of speech services for the two infants into 30 minutes total, two times a week for both, rather than following the IFSP as written for each individual child, which calls for each child receiving 30 minutes of speech, 2 times a week.</p> <p>5. The complainant alleged that the district failed to identify a third child as an eligible child under the early intervention program.</p>		
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For more information regarding complaints, contact the Office of Special Education at 605-773-3678 or via email at [michelle.powers@state.sd.us](mailto:michelle.powers@state.sd.us)